

**BOARD OF PSYCHOLOGY**

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BOARD OF PSYCHOLOGY Quarterly Board Meeting

Open Session Minutes

Embassy Suites-LAX South

1440 East Imperial Avenue
El Segundo, CA 90245

Friday, March 9, 2001

The open session meeting was called to order by the President, Martin Greenberg, Ph.D. at 9:40 a.m. A quorum was present and due notice had been sent to all interested parties.

Present were:

Martin Greenberg, Ph.D., President
Emil Rodolfa, Ph.D., Vice President
Pamela Harmell, Ph.D.
Lisa Kalustian
Marilyn Palarea
Mary McMillan
Mary Ellen Early

Others Present:

Thomas O'Connor, Executive Officer
Dan Buntjer, Legal Counsel
Jeffrey Thomas, Assistant Executive Officer
Kathi Burns, Enforcement Coordinator
Lavinia Snyder, Licensing and Examination Coordinator

Agenda Item #1 - Committee Meetings

The Credentials Committee, Examination Committee, Enforcement Committee, Legislation Committee and Consumer Education Committee met to discuss and formulate recommendations to the Board.

Agenda Item #2 - DODGE, Richard, PhD – Hearing on Petition for Reinstatement of Revoked License

Administrative Law Judge David B. Rosenman presided. Deputy Attorney General Alvin J. Korobkin was present and represented the people. Dr. Richard Dodge was present and represented himself.

Agenda Item #3 - BOYLAN, Richard, PhD, - Hearing on Petition for Reinstatement of Revoked License

Administrative Law Judge David B. Roseman presided. Deputy Attorney General Paul C. Ament was present and represented the people. Dr. Richard Boylan was present and represented himself.

The Board adjourned into closed session at 2:15 p.m.

Saturday, March 10, 2001

The open session meeting was called to order by the President, Martin Greenberg, Ph.D. at 9:00 a.m. A quorum was present and due notice had been sent to all interested parties.

Present were:

Martin Greenberg, Ph.D., President
Emil Rodolfa, Ph.D., Vice President
Pamela Harmell, Ph.D.
Lisa Kalustian
Mary McMillan
Mary Ellen Early

Others Present:

Thomas O'Connor, Executive Officer
Dan Buntjer, Legal Counsel
Jeffrey Thomas, Assistant Executive Officer
Kathi Burns, Enforcement Coordinator
Lavinia Snyder, Licensing and Examination Coordinator

Agenda Item #9-Approval of November 3 & 4, 2000 Open Session Minutes

M(Rodolfa)/S(McMillan)/C to approve the November 3 and 4, 2000 open session minutes with minor corrections.

Agenda Item #10 - President's Report – Dr. Greenberg

a. Draft Revision of APA Ethics Code

Dr. Greenberg stated that the American Psychological Association's Ethics Code Task Force (ECTF) has prepared a draft publication of the Ethics Code. Any feedback regarding the draft publication must be submitted to the Ethics Office no later than April 30, 2001 in order to be considered at the June meeting of the ECTF.

b. ASPPB Committee Appointments

Dr. Greenberg stated that the Association for State and Provincial Psychology Boards appointed Mr. O'Connor to be a member of the Committee on the Future of the Association. Dr. Greenberg was also appointed to be a member of the Committee on Education and Training for Credentialing.

c. 2/22/01-2/25/01 ASPPB Midwinter Meeting

Dr. Greenberg stated that both he and Mr. O'Connor attended the last ASPPB meeting in Biloxi, Mississippi on February 22 –25, 2001. At the meeting, Dr. Greenberg reported on the Board of Psychology's Disciplinary Guidelines while Mr. O'Connor presented the Board's Consumer Brochure. Both presentations were well received.

d. Review of BOP Policy # B-95-01 (Draft)

Dr. Greenberg reminded the Board members of policy B-95-01 regarding attendance and reimbursement. This policy was recently updated to reflect the changes made to meal, hotel and mileage reimbursement. Dr. Greenberg also plans to revise the policy on absences. These revisions will be presented at the next Board meeting.

e. Correspondence

Dr. Greenberg received a letter of thanks from Ms. Kathleen Hamilton, Director of the Department of Consumer Affairs, for taking note of the Governor's request to include the Central Valley as one of the Board's meeting places.

Ms. Suzanne Taylor was presented with a letter of recognition written by Governor Gray Davis, recognizing her 18 years of State service for the California Department of Consumer Affairs.

Dr. Greenberg also received a copy of a letter sent to Mr. O'Connor thanking him for his presentation at the Central California Psychology Internship Consortium Association in Fresno, California.

f. Other Post-Agenda Items for Discussion

None.

Agenda Item #11 - Executive Officer's Report – Mr. O'Connor

a. Staff Update

Mr. O'Connor stated that the Board currently has fourteen full time staff positions. We recently hired Ms. Laurie Applegate for the Licensing Analyst position, Ms. Carol Stotti for the Associate Governmental Program Analyst position and Ms. Joanne Reynolds for the office assistant position.

b. 2002 Calendar

Mr. O'Connor has scheduled a 2002 calendar of events. These are tentative dates and locations. Advance notification of any changes will be made to all Board members and posted on the Board's website.

M(Rodolfa)/S(Mcmillan)/C to adopt the year 2002 calendar.

Vote: 6-0

c. Other Post-Agenda Items for Discussion

None.

Agenda Item #12 - Legal Counsel's Report – Mr. Buntjer

Mr. Dan Buntjer reported on Assembly Bill 1241 authored by Assemblyman Rod Pacheco. This legislation went into effect on January 1, 2001. The intent of the bill was to reorganize the Child Abuse and Neglect Reporting Act (CANRA).

Mr. Buntjer stated that four specific changes were made to the Child Abuse and Neglect Reporting Act: 1) therapists should be aware of the removal of the permissive reporting on emotional abuse; 2) the deletion of the term "child protective agency" from the definitional and functional provisions of the Act and the enumeration of designated agencies authorized to receive reports of child abuse and neglect; 3) the requirement that the named agencies accept reports even if the agency lacks jurisdiction to investigate the case; 4) the provision for additional information that is to be included in reports of child and neglect.

Mr. Buntjer also touched on provisions of immunity for child abuse reporters. He stated that CANRA shields reporters from any liability when reporting any child abuse or neglect. Even if the reporter makes a mistake they are shielded from damages that may result to his or her actions.

He also added that effective January 1, 2001, any attorney fees or costs incurred by a mandated reporter, while defending a lawsuit, can be reimbursed by the State Board of Control for up to \$50,000.

Agenda Item #13 - Continuing Education Update – Mr. Thomas

a. CE Program Review

Dr. Greenberg, Dr. Rodolfa, Mr. O'Connor and Mr. Thomas will be meeting with CPA staff to discuss proposals for the Continuing Education program to help streamline the process. This meeting is tentatively scheduled for April 2001.

b. Continuing Education Statistics

Mr. Thomas reported that the statistics for non-compliance in November 2000 renewal period is at 10%. Mr. Thomas stated that the Board plans to work closely with the accrediting agency to help streamline this process to lower the percentage of non-compliance in the future.

c. Correspondence

Mr. Thomas received an email from Dr. Sandra Levy Ceren stating some comments, suggestions and recommendations for continuing education requirements. He stated that her recommendations will be presented at the meeting with the MCEP Accrediting Agency.

d. Other Post-Agenda Items for Discussion

None.

Agenda Item #14- Regulation Hearing- Examination (10:00 a.m.)

Dr. Greenberg conducted the regulation hearing on examinations at the Embassy Suites LAX at El Segundo. The hearing began at 10:07 A.M.. No public comments were received.

M(Harmell)/S(Kalustian)/C to adopt the proposed regulation changes.

Vote: 6-0

Agenda Item #15 - Regulation Hearing- Continuing Education Providers (10:30 a.m.)

Dr. Greenberg conducted the regulation hearing on Continuing Education Providers at the Embassy Suites LAX at El Segundo. The hearing began promptly at 10:30 A.M..

The only comment received concerning this regulation was from Dr. Paul Mattuzi, a psychologist in Sacramento. He stated that Section 1397.71 (a) of the California Code of Regulations should reflect "A Board..." as opposed to "The Board..." The Board decided to accept Dr. Mattuzi's recommendation and it will be included in the final version.

M(Rodolfa)/S(Harmell)/C to adopt the proposed regulation changes.

Vote: 6-0

Agenda Item #16 - Regulation Update - Mr. Thomas

Mr. Thomas reported that the regulations regarding the examination fee and other technical examination language clean-up that were heard by the Board in November have been approved by the Department and have been filed with the Office of Administrative Law. He also reported that the two regulation packages that were held at this meeting will be finalized and submitted to the Department.

Agenda Item # 17 - Credentials Committee Report – Dr. Harmell

a. Julie Branca, PsyD: Request for extension of 30-Consecutive Month Requirement

The Board decided to educate Dr. Branca concerning the 30 consecutive month requirement for accruing hours. No action was required.

b. Stan Blondek, PsyD: Request for Waiver of EPPP

This agenda item was moved to agenda item 18 (i).

c. Richard Sinacola, PhD: Request for Equivalency of Doctorate Degree

M(Credentials Committee)/C to grant Dr. Sinacola's request for equivalency provided he shows proof of completion courses in Biological Bases of Behavior and Professional Ethics.

Vote: 6-0

d. Bruce Yanofsky, PhD: Request for Approval of SPE Gained in Another Country

M(Credentials Committee)/C to deny Dr. Yanofsky's request for approval of supervised experience gained in another country.

Vote: 6-0

e. Arbella Odishoo, PsyD: Request for Waiver of the Domestic Violence Course Requirement

Request for waiver was withdrawn

d. Darlene Mininni, PhD: Request for Alternative Supervision

M(Credentials Committee)/C to approve Dr. Mininni's request for alternative supervision.

Vote: 6-0

e. Bonnie Wagner-Winkler, PhD: Request for Equivalency of Doctorate Degree

M(Credentials Committee)/C to grant Dr. Wagner-Wickler's request for equivalency provided she shows proof of completion of courses in Individual Assessment of IQ and Personality Assessment.

Vote: 6-0

f. Kelly O’Neil, PhD: Request for Waiver of Human Sexuality Course Requirement

M(Credentials Committee)/C to grant Dr. Oneil’s request for Waiver of the Human Sexuality Course

Vote: 6-0

g. Other Post-Agenda Items for Discussions

M(Credentials Committee)/C to deny Dr. Muriel Schulte’s request to waive the child abuse course requirement

Vote: 6-0

M(Credentials Committee)/C to deny Dr. Jacqueline O’Connor Leger’s request for equivalency of her doctorate degree

Vote: 6-0

M(Credentials Committee)/C to deny Dr. Wesley Forbes request for equivalency of his doctorate degree.

Vote: 6-0

M(Credentials Committee)/C to accept Dr. Grigoriy Shapirsteyn’s foreign degree.

Vote: 6-0

Agenda Item #18 - Examination Committee Report – Dr. Rodolfa

a. 1/01 Oral Exam Statistics

Dr. Rodolfa reported on the oral exam statistics for the January 2001 examination prepared by the Office of Examination Resources. He stated that out of 561 candidates who took the oral examination, 366 (65%) candidates passed and 195 (35%) failed.

b. Oral Exam Appeals

Dr. Rodolfa stated that the Board received 15 oral exam appeals. All appeals were reviewed. Six will be investigated further.

c. 1/01 Jurisprudence and Professional Ethics Written Exam Statistics

Dr. Rodolfa reported on the California Jurisprudence and Professional Ethics Exam statistics for the January 2001 examination. From those statistics, 30 (85%) candidates passed the examination out of 35 possible candidates.

d. 1/01 Examinee Survey Results

Overall, the results of the Examinee Survey for the administration the January 2001 oral examination were well received.

e. Computerization of EPPP

The computerization of the EPPP examination was discussed under agenda item #14

f. Computerization of Jurisprudence and Professional Ethics Examination

Ms. Snyder reported that Board staff has been working with the Office of Examination Resources in the computerization of the Jurisprudence and Professional Ethics examination. Staff plans to meet with OER next week to discuss the draft contract.

g. Correspondence

Dr. Rodolfa received some comments and suggestions from examiners who participated at the last administration of the oral examination. Some were helpful suggestions that the Board will consider for the next examination.

h. OER & BOP Review of Oral Examination

Dr. Greenberg stated that the Office of Examination Resources conducted a two-day workshop to review the Board of Psychology's oral examination. The purpose of the review was to determine the added value of the oral examination. Based on that review, a consensus was reached that minimum competency of an applicant can be measured by the following: 1) the requirement of a doctoral degree; 2) successful completion of 3000 hours of supervised professional experience with enhanced supervisor qualifications, training and trainee evaluation methods; 3) passing of the EPPP; and 4) passing of the California Jurisprudence and Professional Ethics Examination.

Public Members of the Board did not oppose such a change but suggested to first restructure the supervision requirements before eliminating the oral examination. Ms. Lisa Kalustian agreed that an in-depth analysis of the supervision regulations should be made first before moving forward with this regulatory change.

Mr. O'Connor stated that the supervision form can be revised without having to go through regulation change. The form can reflect the changes that the Board wishes to address.

After a lengthy discussion, including some concerns expressed by Dr. Allison Parelman from LASCAP and Dr. Allan Dingle from LACPA, the Board directed staff to move forward in drafting the regulatory language to replace the oral examination with the California Jurisprudence and Professional Ethics Examination. A regulation hearing will be scheduled for June 2001 to allow for further discussion.

M(Rodolfa)/S(McMillan)/ C to move forward in drafting the regulatory language to replace the oral examination with the California Jurisprudence and Professional Ethics Examination.

Vote: 6-0

i. Other Post-Agenda Items for Discussion

M(Examination Committee)/C to deny Dr. Bruce Yanofsky's request for waiver of the EPPP examination.

Vote: 6-0

M(Examination Committee)/C to deny Dr. Stan Blondek's request for waiver of the EPPP examination.

Vote: 6-0

Agenda Item # 19 - Enforcement Committee Report – Ms. McMillan

a. Enforcement Statistics

Ms. Burns reviewed the enforcement statistics for Fiscal year 2000/2001 and noted that the numbers only reflect the first 8 months of the fiscal year. Ms. Burns projected by the end of this fiscal year, the number of complaints, investigations, and cases sent to the Attorney General's office and District Attorney's office will be right on track.

b. Expert Nominations

The Board received a number of expert nominations and the Enforcement Committee will review each application. Ms. Burns stated that she has received approximately 70 inquiries. She attributes the possible increase in inquiries due to the ads posted on Board's website and the BOP newsletter.

c. New Director of the Office of Administrative Hearings

Ms. McMillan stated that Governor Gray Davis has appointed Ms. Melissa Meith as the new director of the Office of Administrative Hearings. Ms. Meith's appointment is effective January 1, 2001.

d. 2001 Expert Training

Ms. Burns stated that invitations to the annual expert training seminar have been mailed to all experts. This training seminar will be held in closed session on March 30, 2001 at the CPA Annual Convention, which is being held at the Hilton Costa Mesa. The training seminar will focus on methods for determining the standard of care for the purpose of providing an expert opinion.

e. Other Post-Agenda Items for Discussion

None.

Agenda Item # 20 - Legislation Committee Report – Ms. Early

a. 2001 Budget Hearings (SB 75-Peace & AB 95-Cardenas)

Mr. O'Connor reported that the Board's budget bills are on track.

b. Other Post-Agenda Items for Discussion

None.

Agenda Item #21 - Consumer Education Committee Report – Mr. O'Connor

a. BOP Update

Mr. O'Connor reported that in December 2000, the 8th edition of the Board's newsletter was distributed to licensed psychologists, registered psychologists, psychological assistant and other interested parties. The Board has received nothing but encouraging feedback regarding the newsletter.

Additionally, Mr. O'Connor hopes to have the next BOP update distributed in the fall. It will focus on the computerization of the EPPP and other changes that would affect the examination process. Mr. O'Connor added that any ideas regarding the BOP update should be submitted to the Board.

b. Website Statistics

Mr. O'Connor stated that for the first week of February 2001, the Board received 10,420 "hits" on the Board's website. The number of "hits" increases during an exam cycle.

Additionally, Mr. O'Connor reported on an article regarding "Government Searches for Holy Grail of Online Services: The Integrated Portal". This article addresses Governor Gray Davis' intent to have one integrated website for all California Government Agencies.

c. Consumer Brochure

Mr. O'Connor presented the consumer brochure to the members of the Board. This pamphlet focuses on consumer issues. This pamphlet will be available to the public when finalized. It will also be posted on the Board's website.

d. Draft Supervision Brochure

Mr. O'Connor presented a draft supervision brochure that will explain in detail the requirements of the supervision regulation. Any comments or suggestions to the brochure should be submitted to Mr. O'Connor.

e. Other Post-Agenda Items for Discussion

None.

The Open session meeting adjourned at 11:50 a.m.

Respectfully submitted,

Martin Greenberg, Ph.D.
President

Date